

Juergen Hoesser May 12, 2005

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1 Q. Next there is listed 3 individuals, which is
2 Mr. Zelarsky, Mr. Port, and Mr. Schaefer. Mr.
3 Schaefer is your boss correct?

4 A. Exactly.

5 Q. Who are Mr. Zelarsky and Mr. Port?

6 A. This refers to what I said yesterday. We
7 had an informal conversation, then we went to the
8 design -- oh, model shop, and we took Mr. Braun's
9 design, looks at Mr. Braun's --

10 MR. HOESER: Yes, I take over the
11 hardware, meaning 2 housings, one cartridge, that
12 kind of thing, and they were located in the model
13 shop, and Mr. Zelarsky is the head of the model shop
14 at this time, and Mr. Pahl was his -- it's kind of
15 shop floor assistant.

16 Q. Lab tech.?

17 A. What?

18 Q. Lab technician?

19 A. Yes, maybe. They are both technicians, yes.

20 They are responsible to make prototypes based on our
21 drawings, so they are strongly linked to the R&D
22 department, and they build all our prototypes.

23 Q. Are Mr. Zelarsky and Mr. Port still working
24 at Braun?

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1 A. No.

2 Q. Do you know when they left Braun? Do you
3 know when each of them left Braun? I assume they
4 didn't leave together.

5 A. I guess Mr. Pahl left Braun 4 to 5 years,
6 ago, he was very old, and Mr. Zelarsky 2 to 3.

7 Q. Do you know whether Braun has made any
8 efforts to collect documents from Mr. Zelarsky and
9 Mr. Port related to work on the shaver, shaving
10 cleaning center?

11 A. No.

12 Q. In order to make models would Zelarsky and
13 Mr. Port be provided with drawings --

14 A. Yes.

15 Q. Were they provided with any other
16 instructions?

17 A. Normally they are only provided with
18 drawings and with spoken information.

19 Q. Do you know who the replacements for Mr.
20 Zelarsky and Mr. Port are?

21 A. I guess the organization structure has
22 changed in the meantime, so maybe Mr. Port is
23 replaced by Mr. Klems, K-l-e-m-s, and Mr. Zelarsky
24 is replaced by Dr. Ring.

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1 Q. If you look midway to the bottom of this
2 page it says Number Book 5301 from Standards Office?

3 A. Yes.

4 Q. What is the Number Book 5301?

5 A. This reflects to my hook here in brackets.

6 That's the base of all BOMs --

7 Q. The bills of material?

8 A. -- we have. To build a BOM you need a
9 number, that's a basic number for the project or the
10 product, and that's the first 4 figures, and here
11 you can see it's in brackets, because there
12 wasn't -- Braun has just said, okay, Drawing No. 1,
13 No. 2, No. 3, and that's not BOM for me.

14 Q. If you turn to the next page, which is B
15 6543, there is another name of Mr. Honer, or Heiner
16 at the top?

17 A. That is myself.

18 Q. It's just a bad translation. I'm looking at
19 the English. Okay. I'm not going to ask about that
20 then.

21 A. This is action plan who do what, and I write
22 myself in.

23 Q. If you could look then to B 6544 there is
24 listed at the top a 10:00 a.m. meeting with Dr.

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1 Pahl?

2 A. Yes.

3 Q. Do you recall what you would have been
4 meeting with Dr. Pahl about at the beginning of your
5 work at Braun?

6 A. I can't remember, but I guess he recruited
7 me and he didn't see me. That's my third day at
8 Braun and he likes to say hello, because, remember,
9 he recruited me, so... I don't know.

10 Q. Do you know whether you would have been
11 discussing the cleaning center at that point in
12 time?

13 A. I can't remember.

14 Q. If you look to B 6546 under the second dash
15 I think it states the VDE is okay.

16 A. I can't remember, no.

17 Q. And so you don't know what is meant by that
18 notation?

19 A. No.

20 Q. Underneath that it says Federal Testing
21 Institute in Braunschweig not until after prototype
22 is complete?

23 A. Yes.

24 Q. Was the cleaning center ever sent to the

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1 Federal Testing Institute in Braunschweig?

2 A. We had planned to send a prototype, and then
3 we changed plan and we traveled to Braunschweig. I
4 don't know when, but we travel. I travelled
5 together with colleague from the quality department
6 and the reason for this was that we are afraid that
7 alcohol is too explosive as a cleaning fluid.

8 Q. Did you receive any testing results from
9 when you were in Braunschweig?

10 A. No, it was just informal meeting how they
11 would test device which contains alcohol, but it
12 ends by that we stop the contact, because this
13 institute is only responsible for appliances and
14 devices that are used by the industry, by the
15 industry, not by private users, so, for example, if
16 you like to sell something in the industry where
17 employees work with, then you have to go to this
18 institute. If you like to sell something to private
19 user, they are not responsible.

20 Q. I understand. If you could turn to B 6549.
21 On that page I believe at the top it states meeting
22 with Mr. Braun.

23 A. Yes.

24 Q. Is this reference to Gebhard Braun?

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1 A. Yes.

2 Q. So did Mr. Braun come back to Braun to --
3 did Mr. Braun come back to Braun the company to
4 discuss the cleaning center with you?

5 A. I asked Mr. Haegele to call him to bring
6 him in to have the chance to discuss directly with
7 the inventor or the creator of this product.

8 Q. You list under there at least -- not list
9 under there, you list under basic explanation of
10 design under the second point, its problem pumping
11 air reasons for current valve. My question is, is
12 that, with respect to the drawing that we did for, I
13 believe it's Defendant's Exhibit 75, is that the
14 problem with the --

15 A. Chicken trough.

16 Q. -- chicken trough we discussed before?

17 A. Yes.

18 Q. And I guess the point above that too where
19 it says design of valve piece why connected to sump,
20 that's also the same phenomena discussed before as
21 well?

22 A. Yes.

23 Q. When you had this meeting with Mr. Braun did
24 he provide you with any documents?

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1 A. No.

2 Q. Was this the only time you met with Mr.
3 Braun regarding the cleaning center?

4 A. Yes.

5 Q. Do you recall how long this meeting was?

6 A. I can't remember. Here is written it's 10
7 to -- next page.

8 Q. Yes.

9 A. It's 4 hours. Maybe it's -- it took so
10 long. I don't know.

11 Q. Well, if you look at the bottom where it
12 says summary of meeting -- the middle of the page,
13 the next page you were on, actually, summary of
14 meeting with Mr. Braun --

15 A. Yes.

16 Q. -- and there there is listed what is
17 referred to as ZSB, zinc, steel, brass prototype; do
18 you see that?

19 A. Yes. Say it again in English.

20 Q. ZSB.

21 A. It's called assembly.

22 Q. Oh, zinc, steel brass assembly?

23 A. Z S B means assembly, yes.

24 Q. So it's not referring to, zinc, steel and

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1 brass?

2 A. No, no, no.

3 THE INTERPRETER: It's the abbreviation;
4 it means assembly.

5 Q. So what is indicated at that point under the
6 summary of the meeting for Mr. Braun?

7 A. There was a solution with a kind of swimming
8 valve to improve the chicken trough design, and one
9 idea was to have kind of swimming valve. You know,
10 there is a valve, and there is a ball swimming on
11 the top of the fluid, and as soon as the level of
12 the fluid goes down, the ball came down together
13 with a tube, which means rinse fluid into the sump
14 until the level is rising high enough, then the ball
15 close.

16 Q. I understand. I mean, one, see if I'm
17 understanding you correctly. Have you ever seen the
18 toilet bowls in, at least the United States, have
19 something like that?

20 A. Exactly. Yes, we have the same in Germany.

21 Q. That's what I figured, but I wasn't sure.

22 A. We had various solutions to work with this
23 swimming effect.

24 Q. So was the valve, the floating valve, was

32 (Pages 238 to 241)

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1 that Mr. Braun's, an idea of Mr. Braun?

2 A. I can't remember.

3 Q. Do you know if there would have been any
4 documents which would discuss that swimming valve?

5 A. I think there should be some sketches from
6 me about swimming valves somewhere, somewhere in
7 here in the piles.

8 Q. If you could turn to B 6553 you will see
9 there, I believe, the names Mr. Stolper and Mr.
10 Hilfinger?

11 A. Yes.

12 Q. What roles did Mr. Stolper and Mr. Hilfinger
13 play in the development of the cleaning center?

14 A. It was a subordinate role. Those are
15 colleagues that work on the development of
16 toothbrushes, and at that point in time I was just
17 running around frantically at Braun asking everybody
18 what they were doing and if they possibly could help
19 me.

20 And Mr. Hilfinger is the equivalent of
21 Mr. Haegele when it comes to toothbrush development,
22 and Mr. Stolper would be the equivalent of Mr.
23 Schaefer.

24 Q. Did either Mr. Stolper or Mr. Hilfinger

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1 provide you any guidance as to the cleaning center
2 project?

3 A. No.

4 Q. I don't mean on this day, I mean ever, at
5 any time.

6 A. No. As you can read here, it just mention
7 that I should think about the evaporation curve of
8 alcohol on the temperature and the heat expansion of
9 the fluid.

10 Q. If you could turn to page 6558. There near
11 the bottom there is referenced a Mr. Bopp?

12 A. Yes.

13 Q. Who was Mr. Bopp?

14 A. Mr. Bopp is the colleague of Mr. Port in
15 the model shop, and he was in charge of the supply
16 of materials which needed to be imported from the
17 outside.

18 Q. Does Mr. Bopp still work at Braun?

19 A. No.

20 Q. Do you know what steps Braun has taken to
21 gather documents that Mr. Bopp may have had
22 regarding the cleaning center project?

23 A. I don't know.

24 Q. Turn to page 6579, B 6579. At the top I

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1 guess it says meeting with Mr. Blessing, and
2 underneath there there is, I guess it says, Braun,
3 then Mr. Schaefer, and then yourself. When you
4 write the word Braun there, do you mean Braun the
5 company or Mr. Braun?

6 A. Braun the company.

7 Q. Who is Mr. Blessing?

8 A. Mr. Blessing is a co-worker of the company
9 Braun Melsone, as far as I recall.

10 That is a company that manufactures
11 infusion bottles for medication which is
12 incorporated in infusion bottles.

13 Q. Were you meeting with Mr. Blessing or --
14 yes, was the meeting that you had with Mr. Blessing
15 related to the shaver cleaning center project?

16 A. Yes.

17 Q. And what assistance -- or why were you
18 meeting with Mr. Blessing regarding the shaver
19 cleaning center project?

20 A. The idea, the product of Mr. Braun, included
21 a rubber on this spot (indicating) that was
22 perforated using a strong needle. This needle was
23 hollow at the inside, so that the liquid, as well as
24 the air, were able to get in and out.

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1 And as far as I recall, I wanted to
2 talk to the experts of Braun Melsone how to design
3 such a rubber and how to design such a needle.

4 Q. Well, did the people at Braun Melsone
5 provide you any information regarding how you would
6 do that or how you would design both the, I guess,
7 the plastic or rubber part and the needle?

8 A. No.

9 Q. Was this the only meeting you had with Mr.
10 Blessing or Mr. --

11 A. Yes.

12 Q. Why did you have no further meetings?

13 A. Because Braun Melsone is buying all the
14 technology. They didn't have the technology
15 in-house, they just buy it, so they have suppliers
16 who are experts. Braun Melsone is not an expert in
17 that kind of thing. It just bring the product into
18 the market and he creates products around, but he
19 has no knowledge about the topic.

20 Q. Did Mr. Blessing direct you to any of the
21 third-party suppliers for assistance?

22 A. Yes.

23 Q. To whom did he direct you?

24 A. He told me 2 suppliers of needles, and as

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1 far as I remember he had one supplier for the rubber
2 part.

3 Q. Do you remember the names of those
4 suppliers?

5 A. I provided the lawyers with a list of some
6 companies.

7 Q. When did you provide the lawyers with a list
8 of the companies?

9 A. Some months ago.

10 Q. Was this a list that you generated at the
11 request of lawyers, or is that a list that you had
12 generated during the course of your work on the
13 cleaning center project?

14 A. When Paul Douglas asked me for documents, I
15 had an idea to go to my, how is called, calendar and
16 to see to which external companies I had spoken to.

17 Q. Did you provide your -- I assume then you
18 have retained your calendar from when you started
19 working at Braun until today?

20 A. Yes. No, not until today, until '97, -8.

21 Q. Did you provide your calendar to the
22 attorneys?

23 A. Yes. I'm not sure.

24 Q. If you have provided it, would you have

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1 provided it to Mr. Douglas?

2 A. Yes.

3 Q. If you could turn to B 006586, there, I
4 believe under the 4th bullet point, it states, order
5 ultrasound cleaner?

6 A. Yes.

7 Q. Can you tell me what ultrasound cleaner you
8 are referring to?

9 A. It's cleaner for contact lenses.

10 Q. Why did you order a cleaner for contact
11 lenses?

12 A. Because I thought -- I simply thought it
13 would be interesting to do.

14 Q. Were you trying to use -- were you using the
15 -- were you looking at the device -- were you
16 looking at the ultrasonic cleaning device to assist
17 you on your work in the cleaning center project?

18 A. Certainly.

19 Q. Do you know what particular device it is
20 that you ordered?

21 A. I still have it.

22 Q. And do you know the name of it?

23 A. No.

24 Q. Would there be any written records regarding

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1 this device?

2 A. No, I received that device, I looked at it,
3 I put it in my cupboard, and that is where it is
4 still standing, because it didn't make any sense for
5 me to follow up.

6 Q. Who did you receive the device from?

7 A. I can't remember.

8 Q. Turn to B 6589. You reference a particular
9 patent there, US Patent No. 3172416?

10 A. Yes.

11 Q. Can you tell me why you referenced that
12 particular patent?

13 A. I can't remember. It's still the stage in
14 my process of getting into the company that I
15 collect all the information, and as soon as there is
16 something I like to know or a question mark, I put
17 it in my notebook, but I can't remember why I
18 referred to this.

19 Q. Do you know from where or from whom you
20 would have obtained that particular US patent?

21 A. No.

22 Q. Turn to B 6595. At the bottom of the page
23 it states presentation Dr. Pahl/Haegel in 2 weeks?

24 A. Yes.

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1 Q. Did you ever make a presentation -- well, I
2 assume that -- that presentation, was that a
3 presentation regarding the cleaning center project?

4 A. I think so.

5 Q. Do you recall making a presentation to Dr.
6 Pahl and Dr. Haegel regarding the cleaning center
7 project?

8 A. I can't remember, and in German it's not
9 presentation. The word which is used, the German
10 word which is used, is not as strong as a
11 presentation; it's much more informal, it's showing
12 something, for example.

13 Q. Do you know why you would have had -- may
14 have been having an informal meeting with Dr. Pahl
15 and Dr. Haegel in approximately August of 1995 --
16 not approximately, in August of '95?

17 A. Well, my way of doing things at that time
18 was always to keep my bosses informed and so at the
19 time I said to Mr. Haegel that I wanted to show him
20 what I am working on so that he sees what the status
21 is of my work.

22 Q. Do you know why you would have wanted to
23 also show it to Dr. Pahl?

24 A. Well, normally the way that works is you go

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1 to Mr. Haegele's office, and then you tell him that
2 you want to have an informal meeting, and then Mr.
3 Haegele says that, well, then we can take this and
4 that person with us as well.

5 Q. So do you know whether -- is it your
6 recollection that Mr. Haegele -- or Dr. Haegele
7 would have suggested that Dr. Pahl be involved in
8 this presentation?

9 A. I think so.

10 Q. Did he express to you why he thought Dr.
11 Pahl should be involved in the presentation?

12 A. No.

13 Q. If you could direct your attention to B
14 6607, and I believe here there actually is a
15 notation as to the meeting, or the informal meeting
16 with Dr. Haegele?

17 A. Mm-mm.

18 Q. In the middle of the page it says, Dr.
19 Haegele positive attitude towards project goal.
20 After meeting on July 5 not convinced about the
21 technical implementation. According to Dr. Haegele
22 after today's meeting the implementation of the
23 project has become more likely. Was that accurate?

24 A. Yes.

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1 Q. So is it correct -- or did Dr. Haegele
2 express doubt about the cleaning center project to
3 you prior to this meeting?

4 A. Doubts about what?

5 Q. Doubts about the implementation of the
6 cleaning center.

7 A. As far as I remember everybody in the
8 technical community knows that there are some doubts
9 outside the rest of the company about this project.

10 Q. Why was that well-known within the technical
11 group?

12 A. Because of the comments made from guys like
13 Mr. Greaves.

14 Q. After the meeting in September of '95 why
15 did Dr. Haegele feel more positive or -- well, I'll
16 take a step back. Did Dr. Haegele tell you anything
17 about why he felt more positive about the project
18 after your meeting in September of '95?

19 A. I guess beside the problem to sell the
20 product inside of the company he saw progress in
21 getting proper technical solutions.

22 Q. And what were the technical solutions that
23 you expressed to him?

24 A. I can't remember the detail.

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1 Q. Would they be -- for example, we looked at
2 your invention disclosure record which you filed in
3 September of 1995; would some of those solutions
4 have been what you would have expressed to Dr.
5 Haegele?

6 A. I guess so, yes.

7 Q. Do you know if Dr. Pahl was at the meeting
8 in September of '95?

9 A. I'm sure he wasn't.

10 Q. You are sure he was not?

11 A. He was not.

12 Q. Why do you say you are sure he was not?

13 A. Because he is not on the list.

14 Q. If you could turn to B 6612. At that 6 near
15 the bottom it says Meeting with Dr. Haegele. There
16 is an arrow to info Dr. Pahl. Do you know what is
17 meant by the notation info Dr. Pahl?

18 A. I don't know what it means. Maybe it means
19 that I should pass along Dr. Pahl's office and say,
20 Hey, we had a meeting last week and that's the
21 result.

22 Q. This would have been one of the -- I mean, I
23 guess you said that you would come to Dr. Pahl's
24 office on like a Friday and have a cup of coffee and

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1 discuss things?

2 A. Yes. It's very common at Braun that we have
3 coffee on Friday. In every department there is a
4 time, like 2:00 in the afternoon, where we get
5 together, review the week, and have coffee, and it's
6 also common that colleagues from other departments
7 came in.

8 Q. If you could turn then to B 6614, there is
9 listed there, 8, Meeting with Dr. Pahl, and then
10 next to there it's several things, contacts,
11 inclined position, odor, locking safety at 80
12 degrees celsius through -- the translator couldn't
13 read that word. Do you recall this meeting with Dr.
14 Pahl?

15 A. No.

16 Q. Do you know what is meant by contacts?

17 A. Mean official meeting instead of -- oh, what
18 means here. Sorry.

19 Q. Yes.

20 A. Yes. Okay. It's a guess.

21 ATTY. PATTON: Don't guess.

22 A. Don't guess, no.

23 Q. Do you know what is meant by inclined
24 position in your notebook?

<p style="text-align: right;">Page 254</p> <p>1 A. Yes.</p> <p>2 Q. What is meant by inclined position?</p> <p>3 A. At this point in time I'm not sure that we</p> <p>4 have to tilt the shaver at least in one direction.</p> <p>5 Q. Do you know why you would have been</p> <p>6 discussing the tilting of the shaver with Dr. Pahl?</p> <p>7 A. I don't know.</p> <p>8 Q. Do you know what is meant by the entry</p> <p>9 locking safety at 80 degrees celsius?</p> <p>10 A. Yes.</p> <p>11 Q. What is meant by that entry?</p> <p>12 A. The problem is that alcohol starts cooking</p> <p>13 at 80 degrees, and we had a test which every Braun</p> <p>14 product has to pass, and that's an aging test going</p> <p>15 from minus 20 to plus 80 degrees in ten cycles, and</p> <p>16 the problem here is that if alcohol starts cooking</p> <p>17 the pressure in enclosed cartridge rises extremely,</p> <p>18 so we had a discussion about how to solve this</p> <p>19 problem.</p> <p>20 Q. Did Dr. Pahl provide you any guidance as to</p> <p>21 how to solve the problem?</p> <p>22 A. No.</p> <p>23 Q. If you could turn to B 6617. At the top</p> <p>24 there is listed a Dr. Finger; do you see that?</p>	<p style="text-align: right;">Page 256</p> <p>1 bottom, Give him recipe for cleaning liquid; do you</p> <p>2 see that?</p> <p>3 A. Yes.</p> <p>4 Q. Did you give him the recipe for the cleaning</p> <p>5 liquid?</p> <p>6 A. Yes.</p> <p>7 Q. How would you have given it to him? Would</p> <p>8 you have given it to him as a document or verbal?</p> <p>9 A. No, as a document, copy of my own document.</p> <p>10 Q. Does Dr. Finger still work at Braun?</p> <p>11 A. Yes.</p> <p>12 Q. Do you know if Braun has contacted Dr.</p> <p>13 Finger to ask him if he has any documents related to</p> <p>14 the development of the shaver cleaning system?</p> <p>15 A. No.</p> <p>16 ATTY. SHIMOTA: I have one more to go.</p> <p>17 I'd like to mark as Defendant Deposition Exhibit No.</p> <p>18 78 an English translation of documents at Braun</p> <p>19 006636 to B 006735.</p> <p>20 (Document marked as Exhibit 78</p> <p>21 for identification.)</p> <p>22 THE VIDEOGRAPHER: Off the record 3:10</p> <p>23 p.m.</p> <p>24 (Recess taken.)</p>
<p style="text-align: right;">Page 255</p> <p>1 A. Yes.</p> <p>2 Q. Who is Dr. Finger?</p> <p>3 A. At this point of time Dr. Finger was the</p> <p>4 head of chemical lab, the service lab in -- was in</p> <p>5 Braun R&D community.</p> <p>6 Q. What role did Dr. Finger play in the</p> <p>7 development of the shaver cleaning system?</p> <p>8 A. At this point of time I wasn't an expert in</p> <p>9 the cleaning fluid, because I'm not a chemist, I'm a</p> <p>10 designer, or a technician, and Dr. Finger is a</p> <p>11 chemist, and I have idea to discuss with him how we</p> <p>12 can improve the recipe of the fluid to get rid of</p> <p>13 some problems.</p> <p>14 Q. So did Dr. Finger do work on optimizing the</p> <p>15 cleaning fluid?</p> <p>16 A. No.</p> <p>17 Q. He did not?</p> <p>18 A. No.</p> <p>19 Q. Did he do anything with respect to the</p> <p>20 cleaning fluid?</p> <p>21 A. Not really.</p> <p>22 Q. Did he provide you any advice?</p> <p>23 A. No.</p> <p>24 Q. Do you know if -- well, it says here at the</p>	<p style="text-align: right;">Page 257</p> <p>1 THE VIDEOGRAPHER: Back on the record</p> <p>2 3:20 p.m.</p> <p>3 ATTY. SHIMOTA: I would like to mark as</p> <p>4 Defendant's Deposition Exhibit No. 79 the German</p> <p>5 original of the document at B 006636 ending at B</p> <p>6 006735.</p> <p>7 (Document marked as Exhibit 79</p> <p>8 for identification.)</p> <p>9 Q. On the first page at B 006636 at item 10</p> <p>10 there is listed Klauer about secrecy, 2382; do you</p> <p>11 see that?</p> <p>12 A. Yes.</p> <p>13 Q. What is represented by the number -- Lotus</p> <p>14 2382 mean?</p> <p>15 A. It's a phone number.</p> <p>16 Q. That's his phone number, it's his extension?</p> <p>17 A. Yes.</p> <p>18 Q. Do you know why you were meeting with Mr.</p> <p>19 Klauer about secrecy in approximately October of</p> <p>20 '95?</p> <p>21 A. No. I can't remember.</p> <p>22 Q. Did anyone ever express to you -- or at any</p> <p>23 time did anyone express to you that you needed to</p> <p>24 keep the work you were doing on the cleaning center</p>

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1 project secret?
 2 A. Yes.
 3 Q. And who would have expressed that sentiment
 4 to you?
 5 A. It's part of my contract.
 6 Q. And when you worked with third-party vendors
 7 such as Inchem, for example, how did you act to
 8 ensure that things that -- that work that they were
 9 doing with you, or Braun work, would remain secret?
 10 ATTY. PATTON: Object to the form. You
 11 can answer.
 12 A. That depends on the topic of our
 13 discussions. If there is a need to give information
 14 to the supplier, which, yes, shows too much from our
 15 product, we make secrecy agreement, or if you just
 16 go to the supplier and say, okay, this water is
 17 cold, please heat it, don't explain anything, we
 18 don't make secrecy agreement.
 19 Q. Did there come a time when you had -- in
 20 connection with the cleaning center project did
 21 there ever come a time when you had third-party
 22 signed secrecy agreements?
 23 A. Yes.
 24 Q. Do you remember on how many occasions such

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1 secrecy agreements were signed?
 2 A. Some. I don't know how much, how many.
 3 Q. Would you handle the secrecy agreement or
 4 would that be something that would be handled by the
 5 Legal Department.
 6 A. No, it's almost always handled by the Legal
 7 Department. They just get my input, I like to talk
 8 to X, Y, Z about whatever, and that's the documents
 9 I give away, and that's information I give away, and
 10 the rest is done by Legal.
 11 Q. Do you know who would have handled drafting
 12 the secrecy agreements, or who would have handled,
 13 or who would have -- do you know who in the Legal
 14 Department would have worked with the third parties
 15 to finalize the secrecy agreements?
 16 A. Klauer, but also there is his boss at this
 17 time, boss Dr. Marsh.
 18 Q. Is there a name Dr. -- or not Dr., Mr.
 19 Vorbeck?
 20 A. Yes.
 21 Q. Was Mr. Vorbeck working at Braun when you
 22 came there in July of '95?
 23 A. I think so.
 24 Q. Do you know when he began -- or was he -- at

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1 the time was Mr. Vorbeck working in connection with
 2 the shaver development group?
 3 A. I don't know.
 4 Q. Let me try and make my question better. Mr.
 5 Klauer worked with people in the shaver research
 6 group?
 7 A. Right.
 8 Q. Do you know if Mr. Vorbeck worked in the
 9 same capacity in any way; you know, worked with
 10 individuals in the research group for shavers?
 11 A. As far as I know, no.
 12 Q. Do you know at all around, like, the '95
 13 time frame what group he would have been working
 14 with, if any?
 15 A. No.
 16 Q. If you could direct your attention to B
 17 006642, it states in the second bullet point
 18 cleaning liquid from long-term test to Dr. Finger?
 19 A. Yes.
 20 Q. Do you know what the long-term test was?
 21 A. Yes.
 22 Q. What was the long-term test?
 23 A. This means I gave a used cartridge to Dr.
 24 Finger.

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1 Q. What did you want Dr. Finger to do with the
 2 used cartridge?
 3 A. To find out how the cleaning fluid has
 4 changed by using it for I don't know how many
 5 cycles.
 6 Q. Did he find out how the cleaning fluid had
 7 changed?
 8 A. Roughly.
 9 Q. Did he perform tests in order to make that
 10 determination?
 11 A. I can't say which tests he did, but I'm sure
 12 he did tests.
 13 Q. Did he convey to you the results of such
 14 tests?
 15 MR. HOESER: Sure.
 16 Q. Would he have conveyed them to you in
 17 writing or verbally?
 18 MR. HOESER: In writing.
 19 Q. And would that have taken the form a
 20 memoranda?
 21 MR. HOESER: No, it's a lab report.
 22 Q. What would the lab report have looked like?
 23 That's a tough question. What information would
 24 have been contained on the lab report?

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1 A. Who asked for the research or the study,
2 when, what is the project, what was given to the
3 lab, when the test or examination is finished, and
4 the result of the examination.

5 Q. How often -- how many -- or how many
6 such -- or -- sorry. How many lab reports did Dr.
7 Finger generate for you in connection with the
8 cleaning center project?

9 A. I don't know. Many.

10 Q. Many?

11 A. Yes.

12 Q. Would it have been more than 50?

13 A. No. That's too much. Something between 20
14 and 30, 40.

15 Q. Do you know the name Mr. Sprugel?

16 A. Yes.

17 Q. Who is Mr. Sprugel?

18 A. Mr. Sprugel is the boss for Mr. Arendt, and
19 at this point of time he was the owner of the
20 company called Imchen, one of the owner.

21 Q. Was there anyone other than -- in the
22 chemical -- in the chemistry department, other
23 than -- or did you work with anyone other than Dr.
24 Finger in the chemical laboratory department related

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1 to the shaver cleaning center project?

2 A. In 1995 it's only Dr. Finger. Later on
3 there are a couple of chemists. There were Dr.
4 Olive, Dr. Cebus, and Dr. Langhof, and now it's -- I
5 have to look in my current.

6 Q. Sure.

7 A. I can't remember the name, but you will find
8 anyways. No, I didn't find. There is a new lady
9 now, because all the doctors, except Cebus, are
10 ladies and is getting pregnant after a while.

11 Q. Well, we have talked about Dr. Finger, so
12 for Dr. Olive, Dr. Cebus, Dr. Langhof, and the new
13 chemist, do you know whether Braun has contacted any
14 of them to gather documents related to the shaving
15 cleaning center project?

16 A. I don't know.

17 Q. If you could look to B 6734. There is
18 listed there in the middle of the page -- it says
19 Dr. Pahl and Dr. Finger, examination of razor
20 stubble; do you see that?

21 A. Yes.

22 Q. You see that?

23 A. Yes.

24 Q. Why did you have a meeting with Dr. Pahl and

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1 Dr. Finger regarding examination of razor stubble?

2 ATTY. PATTON: I object to the form of
3 that question.

4 A. At this point of time Dr. Pahl was head of
5 the research department and in this department they
6 had an x-ray microscope, and that's the reason why I
7 asked Pahl about what is the knowledge about the
8 size of cutting beard stubble, and Dr. Finger in the
9 context that he has analyzed stubble coming from a
10 cartridge.

11 Q. So did Dr. Pahl and Dr. Finger subsequently
12 provide you information regarding razor stubble?

13 A. I think so.

14 Q. Do you know if they would have provided you
15 information which would have been in written form?

16 A. Yes, Dr. Finger for sure; Dr. Pahl I don't
17 know.

18 ATTY. SHIMOTA: I believe I have no
19 questions for you, any further questions for you.
20 Thank you very much for your time.

21 THE VIDEOGRAPHER: Here ends this
22 deposition of Juergen Hoerer. The number of
23 videotapes used was 6. Off the record 3:33 p.m.
24

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1 Commonwealth of Massachusetts

2 Suffolk, ss.

3 I, Carol A. Pagliaro, Registered Professional
4 Reporter and Notary Public in and for the
5 Commonwealth of Massachusetts, do hereby certify
6 that to the best of my knowledge and belief JUERGEN
7 HOESER, the witness whose deposition is hereinbefore
8 set forth, was previously sworn and that such
9 deposition, Volume II, is a true record of the
10 testimony given by the witness to the best of my
11 skill and ability.

12 I further certify that I am neither related to,
13 nor employed by, any of the parties in or counsel to
14 this action, nor am I financially interested in the
15 outcome of this action.

16 In witness whereof, I have hereunto set my hand
17 and seal this 26th day of May, 2005.
18

19

20 Carol A. Pagliaro, RMR
21 Notary Public
22 CSR No. 123293
23 My commission expires
24 April 28, 2011

38 (Pages 262 to 265)

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